

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

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Local Administration and Welfare Department

Directorate of Civil Supplies and Price Control

Office of the Civil Administrator, Diu

ORDER

CAD/CS/I/40/82/1967

In exercise of the powers conferred by sub-clause (1) of clause 7 of the Goa, Daman and Diu Cement Dealers Licensing Order, 1978, I, S. K. Jain, Civil Administrator, the Licensing Authority, Diu, hereby make the following order to regulate the sale, disposal, delivery and distribution of levy cement in Diu District, with immediate effect, namely: —

1. Declaration of stocks. — (1) Every dealer in levy cement in Diu District shall declare forthwith the stock of levy cement held by him, to the Mamlatdar, Diu.

(2) Every declaration made under clause (1) above shall contain details as to the places or the godowns in which the levy cement so declared is stocked.

(3) A copy of the declaration made under this clause shall be submitted by the dealer to the Civil Administrator, Diu.

2. Submission of returns. — (1) Every dealer in levy cement in Diu District shall submit on every Monday, to the Mamlatdar a return showing correctly the stock of levy cement held by him at the beginning of the week, receipt and insurance of levy cement during the week.

(2) A copy of such return shall be submitted by the dealer to the Civil Administrator, Diu.

3. Disposal of levy cement by dealer. — (1) No dealer shall dispose, in any manner, levy cement in his stock to any person except on production of a permit issued by the Mamlatdar, Diu in Form "A".

(2) A person requiring levy cement for his use shall apply in Form "B" to the Mamlatdar, Diu who shall issue the permit for levy cement in Form "A" depending upon the availability of stock.

(3) Every application made under sub-clause (2) above shall be duly recommended in Form "C" by: —

(a) The Assistant Engineer, Public Works Department, Diu if cement is required for construction of dwelling units having plinth area upto 120 sq. metres.

(b) The Chief Officer, Municipal Council, Diu within the Diu Municipal area or the Sarpanch of the Village Panchayat within the Panchayat area of cement upto 5 bags is required for minor repairs.

(c) The Block Development Officer, Diu: —

(i) for any quantity of cement if the same is required for any construction connected with agriculture like wells, etc.

(ii) upto 15 bags of cement for any purpose other than agriculture.

(4) In case the applicant has not utilised the cement purchased by him within the period specified in the permit, he may make an application to the Mamlatdar, Diu in Form "D" for extending the period.

(5) A fresh permit shall be issued in Form "A".

(6) No person shall obtain or attempt to obtain or store cement except under and in accordance with the permit issued under the order by the Mamlatdar, Diu in Form "A".

4. Issue of cash memo. — Every dealer selling the cement shall issue a cash memo to the purchaser signed by him mentioning the permit number, its date, name and address of the purchaser, quantity, quality, type ("Levy Cement"), rate and the total price for which the levy cement was sold by him to the purchaser. The cash memo shall be kept in possession by the person transporting the cement and shall be produced on demand to the Mamlatdar, Diu or an Inspector of the Police, Diu or any other person authorised by the Civil Administrator, Diu, in this behalf.

5. Selling price of cement. — No dealer shall sell levy cement except at the rate fixed by the Government. Any contravention shall be dealt with under section 7 of the Essential Commodities Act, 1955 (Central Act 10 of 1955).

6. Maintenance of register. — Every dealer dealing with levy cement, besides observing compliance of all the provisions of the Goa, Daman and Diu Cement Dealers Licensing Order, 1978 and the conditions imposed under the licence, shall also maintain separate register for sale of levy cement showing the details of day-to-day transaction under the following head: —

(a) Date of transaction;

(b) Name and address of purchaser;

(c) Quantity sold;

(d) The number of permit of authorisation, if any, against which the levy cement is sold;

(e) Signature of the purchaser.

7. **Ban on hoarding.**—No dealer shall refuse to sell the cement available in his stock to a person having a permit issued to him by the Mamlatdar, Diu.

Sd/-

(S. K. JAIN)

Civil Administrator, Diu.

FORM "B"

Government of Goa, Daman and Diu
Directorate of Civil Supplies and Price Control
[See Clause 3 (2)]

Application

From:—

To,

I require ... (in words) bags of levy cement during the month of ... year ... for the following purpose.

...

The work will be carried out at the following address.

...

If it is estimated that after the cement comes into my possession, the work will take ... days to complete by which time the cement will have been consumed.

I am attaching a certificate from the Engineer in Form C to the effect that for the purpose mentioned above, I shall require ... bags of cement (The full name and address of the Engineer should be indicated) together with the plan duly approved by the Municipality/Panchayat and the Municipal/Panchayat licence.

I have signed the declaration overleaf and such declaration concerns my application.

Signature of applicant

Date:—

Place ...

No application will be considered if the applicant fails to sign the declaration overleaf.

Declaration concerning the application for levy cement.

Stamp duty, if any payable on this agreement shall be borne by Government. No application will be considered unless the declaration given below is signed by the applicant.

1. I declare that no levy cement was purchased by me for the purpose above/... bags of cement were purchased by me for the above purpose earlier, out of which ... bags, were utilised ... bags are still in my possession/all the bags were utilised on the date of this application.

2. I declare that no other person has applied for the cement required for the specified purpose as mentioned above.

3. I declare that no application for the cement required for the specified purpose as mentioned above is being made by me, or any other person on behalf through any other channel.

4. I declare that if a permit is issued on my application, the full quantity of cement shall be used only for the work stated above and that it will not be used for any other work or given or sold to any other party and any breach by me of this condition will amount to misrepresentation and obtaining of cement by false pretence.

5. I agree that any authorised representative of the Director of Civil Supplies the Licensing Authority or the Mamlatdar Diu may inspect the work and my stock of cement obtained under this permit or previous permit as the case may be, at any time on request, and I shall also provide such information as to its use as may be required from me.

6. I agree that if it is found that any portion of the levy cement supplied to me has been resold or used for any purpose other than that stated by me or stored by me for a period beyond that for which I am permitted, without obtaining fresh permit in this regard, all the cement in stock or with me may be confiscated without prejudice to any other action for which I may be liable under the Essential Commodities Act, 1955.

Place:—

Date:—

Signature of the Applicant

* Delete the words/expressions not required.

FORM "A"

Government of Goa, Daman and Diu
Department of Civil Supplies and Price Control
Office of the Mamlatdar, Diu

Messrs.

You are authorised to supply levy cement as follows:—

1. Identor's name:—
2. Address:—
3. Quantity:—
4. The period for which the consumer is permitted to be in possession of the levy cement from the date of issue is ... days.
5. The levy cement is issued only for the purpose of construction repairs of house and should be used for that purpose.
6. The permit is not transferable.
7. The permit is valid for ... days from the date of issue.
8. The price of cement per bag is Rs. ... inclusive of all taxes.

Date:—

(Mamlatdar Diu)

FORM "C"

Government of Goa, Daman and Diu
Directorate of Civil Supplies and Price Control—Panaji
[See Clause 3 (3)]

Shri/Smt. M/s. ... resident of ... requires ... bags of cement for the purpose of ... at ...

To the best of the knowledge and belief of the undersigned this Panchayat/Municipality the requirement is genuine. There is therefore no objection to any dealer/dealers releasing to him/her/them altogether ... bags.

Place:—

Date:—

Engineer/Municipality/Panchayat

FORM "D"

Government of Goa, Daman and Diu
Directorate of Civil Supplies and Price Control
[See Clause 3 (4)]

From:

To:

Sir,

The cement issued to me under permit No. ... dt. ... could not be utilized by the undersigned during the validity of the permit for the following reasons ...

I, therefore request you to grant me further extension of ... days/months for utilization of the said cement.

Date:—

Yours faithfully,